IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.11819 of 2001

Between:

Malepati Venkata Subbaiah S/o. Tirupalaiah, 34 years
R/o. Kavali Mastapuram Village, Kaligiri Mandal,
Nellore District.

...PETITIONER

AND

1. The State of A.P. Rep by its Prl.Secretary for Revenue,
   Secretariat Buildings, Saifabad, Hyderabad.

2. The Revenue Divisional Officer,
   Kavali, Nellore District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, or order or direction declaring the action of the respondent in reserving Kavali-Mastanpuram Gram Panchayat to Backward Classes to be illegal and arbitrary and also violative of the A.P. Gram Panchayat act and the rules made therein and also violative of Article 243-D of the Constitution of India.

Counsel for the Petitioner: MR.UNNAM.MURALIDHAR RAO

Counsel for the Respondents: GP FOR REVENUE & ADVOCATE GENERAL

The Court made the following:

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ORDER:

The petitioner is the resident of Kavali, Mastapuram Village, Kaligiri Mandal of Nellore District. The second respondent issued a notification dated 15.04.2001 reserving the office of the Sarpanch of the said village to the Backward Classes. Aggrieved by the same, the petitioner filed the present Writ Petition. Though this Court admitted the Writ Petition on 07.08.2001, having regard to the fact that the Election was in an advanced stage, refused to pass any order staying Election. In that view of the matter, the cause of action does not survive.

The Writ Petition is dismissed as infructuous.

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(V.V.S.RAO, J)

8th September 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Principal Secretary for Revenue, State of A.P.,

Secretariat Buildings, Saifabad, Hyderabad.

2. The Revenue Divisional Officer,
Kavali, Nellore District.

3. Two CCs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

4. Two CCs to Advocate General, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.